IN THE HIGH COURT OF JUDICATURE, ANDHRA PRADESH
AT HYDERABAD
(Special Original Jurisdiction)
TUESDAY, THE TWENTY SECOND DAY OF JUNE
TWO THOUSAND AND FOUR
PRESENT
THE HON'BLE MR JUSTICE K.C. BHANU
WRIT PETITION NO : 10101 of 2004

Between:

A.S.Narayana, S/o. K. Gangaram,
Amdapur, Bodan(M), Adilabad District.

... PETITIONER

AND

1 The Andhra Pradesh State Road Transport Corporation, Rep., by Vice-
Chairman & Managing Director, Musheerabad, Hyderabad.
2 The Depot Manager, Andhra Pradesh State Road Transport Corporation,
Adilabad, Adilabad District.

...RESPONDENT(S)

Petition under Article 226 of the constitution of India praying that in the circumstances stated in the Affidavit filed herein the High Court will be pleased to issue a Writ of Mandamus declaring the Proceedings No. 02/95(35)/04 ADB dated. 5-5-2004 suspension order as illegal and arbitrary and set aside the same with all consequential benefits including arrears

Counsel for the Petitioner: MR.P.GOVINDA RAJULU

Counsel for the Respondent No.: SMT.G.JYOTHI KIRAN (SC for APSRTC)

The Court Made the Following Order:

ORDER:

The petitioner was placed under suspension for certain cash irregularities when the checking officials found that the passengers were travelling in the bus with the re-issued tickets. Questioning the suspension the present writ petition is filed.

The learned counsel appearing for the petitioner contended that considering explanation given by the writ petitioner he was placed under suspension and whether the petitioner issued the re-issued ticked has to be decided in the enquiry and therefore the suspension order is illegal.

The learned counsel appearing for the respondents opposed the same. The checking officials checked the bus in which the petitioner was a conductor. They have detected about collection of Rs.4/- from three individual passengers and found that the said tickets were already sold and accounted for by the writ petitioner. So, basing on the above allegations the petitioner was placed under suspension.

It is not a case where the person who issued suspension order has no jurisdiction or authority to place him under suspension. Whether the petitioner issued re-issued tickets or not; whether he committed any cash and ticket irregularities, has to be decided in the enquiry. Therefore, the order under suspension does not suffer from any legal infirmities so as to call for interference by this Court.

Hence, the writ petition is disposed of with a direction to the

respondents to complete the enquiry within a period of three months from the date of receipt of a copy of this order.

Under the circumstances no costs.

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(K.C. BHANU, J)

June 22, 2004

Dsk/Sj

Copy to:

1 The Vice-Chairman & Managing Director, Andhra Pradesh State Road
Transport Corporation, , Musheerabad, Hyderabad.

2 The Depot Manager, Andhra Pradesh State Road Transport Corporation,
Adilabad, Adilabad District.

3 Two C.D. Copies